

WORLD TRADE ORGANIZATION

RESTRICTED

G/C/W/32

22 November 1995

(95-3800)

COUNCIL FOR TRADE IN GOODS
1 December 1995

Original: French

SENEGAL - RENEGOTIATION OF SCHEDULE XLIX

Draft Decision on Extension of Time-Limit

Considering that the CONTRACTING PARTIES to GATT 1947, by Decision of 7 December 1990¹ and successive decisions, suspended the application of the provisions of Article II of GATT 1947 to the extent necessary to enable the Government of the Republic of Senegal to implement its new tariff resulting from a thorough reorganization of the table of duties and fees in its customs tariff and the introduction of the Harmonized Commodity Description and Coding System (Harmonized System), and thereafter to conduct negotiations;

Taking into account that, by successive decisions, the waiver granted to Senegal was extended until 31 December 1995²;

Considering that the footnote to Annex IA, Section on GATT 1994, subparagraph 1(b)(iii) of the Agreement Establishing the World Trade Organization requires the Ministerial Conference to establish at its first session a revised list of waivers granted under Article XXV of GATT 1947 and still in force on the date of entry into force of the WTO Agreement;

Considering that by a Decision of 31 January 1995³ the General Council established a list of waivers existing at the entry into force of the WTO Agreement, which included the waiver granted to Senegal for the renegotiation of a new Schedule XLIX;

Considering that paragraph 2 of the Understanding in Respect of Waivers of Obligations under the General Agreement on Tariffs and Trade 1994 provides that any waiver in effect on the date of entry into force of the WTO Agreement shall terminate unless extended in accordance with the procedures set out in paragraph 1 of the aforementioned Understanding and those of Article IX of the WTO Agreement on the date of its expiry or two years from the date of entry into force of the WTO Agreement, whichever is earlier;

Taking into account that Senegal has submitted the documentation necessary for the negotiations under Article XXVIII in August and November 1993⁴;

¹BISD 37S/295.

²WT/L/85.

³WT/L/3 and Corr.1.

⁴SECRET/341 + Add.1.

Noting that the Government of Senegal is on the point of completing negotiations with its partners;

Considering that the Government of Senegal, having fulfilled the requirements of paragraph 1 of the Understanding in Respect of Waivers of Obligations under the GATT 1994, has requested a further extension until 30 June 1996⁵, in order to complete the negotiations and consultations provided for by the procedures under Article XXVIII;

The General Council, acting pursuant to the provisions of Article IX of the WTO Agreement;

Decides, in view of the exceptional circumstances outlined above, to extend the waiver granted to Senegal by the Decision of 7 December 1990 until 30 June 1996.

⁵G/L/7.